

OCT 22 2006

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130.00**Complete if Known**

Application Number	10/059,554
Filing Date	01/30/2002
First Named Inventor	Douglas Hooker Bradley
Examiner Name	Chat C. Do
Art Unit	2193
Attorney Docket No.	AUS920010742US1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

International Business M

09-0447

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20** =		X			
Multiple Dependent		-3** =		X			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1601	1,370	2501	685	Utility issue fee (or reissue)	
1602	480	2502	245	Design issue fee	
1503	680	2503	330	Plant issue fee	
1480	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	6021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00**SUBMITTED BY**

Name (Print/Type) Anthony V.S. England

Registration No.
(Attorney/Agent)

35,129

(Complete if applicable)

Telephone 512-477-7165

Signature

Anthony V.S. England

Date

10-22-2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/059,554
	Filing Date	01/30/2002
	First Named Inventor	Douglas Hooker Bradley
	Art Unit	2193
	Examiner Name	Chai D. Do
Total Number of Pages In This Submission 2-1	Attorney Docket Number	AUS920010743US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Notice of Abandonment, dated 06/16/2006 (2 pages); 2. Exhibit "AA," copy of transmittal sent to USPTO 03/04/2005 (15 pages)
Remarks NOTICE TO OFFICE OF INITIAL EXAMINATION: It is important to scan this ENTIRE document, including all attachments. Images of ALL PAGES should be included in the electronic file for this document, because the attachments are NOT already in PAIR.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of Anthony England		
Signature	<i>Anthony V.S. England</i>		
Printed name	Anthony V.S. England		
Date	10-22-2006	Reg. No.	35,129

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Anthony V.S. England</i>		
Typed or printed name	Anthony V.S. England	Date	10-22-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No.10/059,554

Filing Date: 01/30/2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bradley	Before the Examiner: Chat C. Do
Serial No. : 10/059,554	Group Art Unit: 2193
Filed: 01/30/2002	
Title: Circuit Suitable for Use in a Carry Lookahead Adder	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Enclosed is a decision (the "Decision") dated September 15, 2006, on a petition to withdraw holding of abandonment. The Decision indicates that in the petition (the "Petition") filed July 2, 2006, Petitioner did not include a copy of Applicant's timely filed reply (the "Reply") of March 1, 2005, to Office action. However, Petitioner did, in fact, submit that Reply with the Petition. Petitioner surmises that perhaps the Office of Initial Examination did not scan all the attachments submitted with the Petition. Petitioner hereby again requests that the holding of abandonment be withdrawn. Once again, Petitioner herein submits evidence showing that Applicant did, in fact, timely file a reply to the subject Office action.

Petitioner requests that the fee for filing a petition be waived.

AUS920010743US1

1

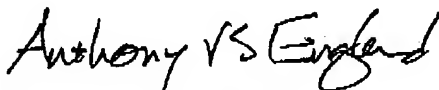
Application No.10/059,554

Filing Date: 01/30/2002

Evidence showing that Applicant timely filed a reply:

On March 1, 2005, Attorney Joseph P. Lally filed a reply to the December 1, 2004, Office action by facsimile transmission. A copy of this transmittal is enclosed as Exhibit "AA." Note, in particular, that the first page of the reply of March 1, 2005, includes a signed and dated certificate of transmission in compliance with 37 CFR 1.8. While the enclosed USPTO Auto-Reply Facsimile Transmission acknowledgment is less than ideally legible, it is also included herein, because it does provide *some* additional evidence of the transmission of the reply of March 1, 2005.

Respectfully submitted,



Anthony V. S. England
Attorney for IBM Corporation
Registration No. 35,129
512-477-7165
a@aengland.com

OCT 22 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

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IBM CORP. (AVE)
C/O LAW OFFICE OF ANTHONY ENGLAND
PO BOX 5307
AUSTIN, TX 78763-5307

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SEP 15 2006

OFFICE OF PETITIONS

ON PETITION

In re Application of
Bradley, et al.
Application No. 10/059,554
Filed: January 30, 2002
Attorney Docket No. AUS920010743US1

This is a decision on the petition under 37 CFR 1.181 filed on July 2, 2006, to withdraw the holding of abandonment in the above-cited application.

The petition is **DISMISSED**.

The above-identified application became abandoned for failure to reply to the non-final Office action mailed December 1, 2004, which set a shortened statutory period for reply of three-months from its mailing date. No response was received within the allowable period, and the application became abandoned on March 2, 2005. A Notice of Abandonment was mailed on June 16, 2006.

Petitioner argues that a reply the non-final Office action was transmitted via facsimile on March 1, 2005, and received by the Office. As evidence of the same, petitioner provides the Auto-Reply Transmission that was allegedly returned to petitioner after the response to the non-final Office action was transmitted.

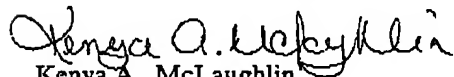
The petition cannot be granted on the basis of the Auto-Reply Transmission Sheet because the Auto-Reply transmission sheet, as seen in the Image File Wrapper of the application is illegible. Petitioner must file a legible copy of the Auto-Reply Transmission Sheet, or a copy of the response allegedly transmitted on March 1, 2005, containing a certificate of transmission in compliance with 37 CFR 1.8.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
United States Patent and Trademark Office
Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries regarding this decision should be directed to the undersigned (571) 272-3222.


Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

Application No.10/059,554

Filing Date: 01/30/2002

EXHIBIT "AA"

COPY OF REPLY TO DECEMBER 1, 2004

OFFICE ACTION INCLUDING SIGNED AND

DATED CERTIFICATE OF TRANSMISSION

AND USPTO AUTO-REPLY FACSIMILE

TRANSMISSION

OCT 22 2006

PTO/SB/21 (09-04)

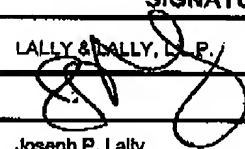
Approved for use through 07/31/2008. OMB 0851-0031

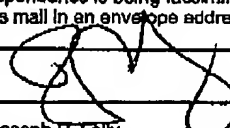
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/057554	
	Filing Date	01/30/2002	
	First Named Inventor	Bradley	
	Art Unit	2124	
	Examiner Name	Do	
Total Number of Pages in This Submission	14	Attorney Docket Number	AUS9 2001 0743 US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) 1 Replacement Sheet 6 of 10 1 Annotated Sheet 6 of 10 <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LALLY & LALLY, L.P.		
Signature			
Printed name	Joseph P. Lally		
Date	March 1, 2005	Reg. No.	38,947

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Joseph P. Lally	Date	March 1, 2005

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